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ANGEL PALACIOS
MENDEZ ALVARO 77
PORTAL 4 PISO 4B
MADRID 28045 ES SPAIN

MAILED

MAY 09 2011

In re Application of	:	OFFICE OF PETITIONS
Angel Palacios	:	
Application No. 10/599,384	:	DECISION ON PETITION
Filed: September 27, 2006	:	
Attorney Docket No.	:	

This is a decision on the petition, filed April 12, 2011, which is being treated as a petition under 37 CFR 1.181 (no fee) requesting withdrawal of the holding of abandonment in the above-identified application.

The petition is **DISMISSED**.

Any request for reconsideration of this decision should be filed within two (2) months from the mail date of this decision. Note 37 CFR 1.181(f). The request for reconsideration should include a cover letter and be entitled as a "Renewed Petition under 37 CFR 1.181 to Withdraw the Holding of Abandonment."

This application was held abandoned for failure to reply to the Notice of Non-Compliant mailed July 13, 10, which set a one (1) month or thirty (30) days period for reply. A Notice of Abandonment was mailed on January 31, 2011.

Petitioner states "After receiving the Notice of Abandonment enclosed with this letter I checked my files and I saw that I had in fact submitted my response to the Office Action mentioned. You can find attached both my response and the copy of the receipt that was received by the fax machine, sent by the USPTO fax machine."


See 37 C.F.R. § 1.8

- (1) Correspondence will be considered as being timely filed if:
 - (i) The correspondence is mailed or transmitted prior to expiration of the set period of time by being:
 - (A) Addressed as set out in § 1.1(a) and

By FAX: (571) 273-8300
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Telephone inquiries related to this decision may be directed to the undersigned at (571) 272-3210.


Irvin Dingle
Petition Examiner
Office of Petitions

Enclosures: Petition For Revival Of An Application For Patent Abandoned Unintentionally Under 37 CFR 1.137(b); Form PTO/SB/64, Privacy Act Statement; and a copy of the Notice of Non-Compliant Amendment (37 CFR 1.121) mailed July 13, 2010.